

*Item 14*



Status Report on  
Perchlorate Investigation  
Rialto, Colton & Chino  
Groundwater Subbasins

# *Investigation Orders*

A decorative graphic consisting of a horizontal bar with a color gradient from dark blue on the left to bright yellow on the right. To the right of the bar is a large, stylized arrow pointing to the right, with a brown-to-yellow gradient and a 3D effect.

- ◆ Issued pursuant to WC Section 13267
- ◆ Nineteen Investigation Orders issued to date
- ◆ Two additional Orders are currently being drafted

# *Investigation Orders*



- ◆ Update on Staff Efforts
  - Court hearings, records submittal
  - Enforcement for non-compliance (ACL complaints, notice of violation letters)
  - Oversight of investigation activities
  - Identifying additional suspected dischargers

# *Non-compliance*

## **Emhart Industries, Inc./Black & Decker (former West Coast Loading Corporation/Kwikset)**

- ◆ Board staff filed the Administrative Record for Emhart's Petition for Writ of Mandate with the State Superior Court, Riverside County on 10/1/03 - (8,219 pages)
- ◆ Hearing re: Emhart's request for a Stay of the Investigation Order is scheduled for 10/17/03

# *Non-compliance*



**Emhart Industries, Inc./Black & Decker, *continued***  
**(former West Coast Loading Corporation/Kwikset)**

- ◆ Executive Officer issued an administrative civil liability complaint to Emhart 8/21/03
- ◆ Hearing re: the ACL is scheduled for 11/14/03

# *Non-compliance*

## Zambelli Fireworks

- ◆ Investigation Order issued 12/16/02
- ◆ Work plan was due 1/31/03
- ◆ ACL complaint issued 7/28/03 to Zambelli for non-compliance with Order
- ◆ Zambelli waived the right to a hearing and agreed to pay \$20,000 in penalties, and to submit an adequate workplan for perchlorate investigation by 10/6/03

# *Non-compliance*

## Pyro Spectaculars & Astro Pyrotechnics

- ◆ Investigation Order issued to James Souza, Pyro Spectaculars 10/7/02
- ◆ Order revised 11/6/02 to include Astro Pyrotechnics in the investigation; work plans due 12/9/02
- ◆ Work plans submitted 12/9/02 & revised 4/1/03

# *Non-compliance*

## *Pyro Spectaculars & Astro Pyrotechnics, continued*

- ◆ Executive Officer directed Mr. Souza to implement work plan by 7/21/03
- ◆ Attorney for Mr. Souza contacted water purveyors regarding a possible settlement
- ◆ No progress has been made in obtaining a settlement agreement or initiating the site investigation



# *Non-compliance*

## *Pyro Spectaculars & Astro Pyrotechnics, continued*

- ◆ The Executive Officer will issue ACL complaint to Mr. Souza for failure to comply with the Investigation Order
- ◆ A hearing re: the ACL complaint will be scheduled for an upcoming Board Meeting

# *Non-compliance*

- ◆ Two Notice of Violation letters issued in 8/03:
  - Mr. Wong Chung Ming (owner, 160-acre site)
  - Marquardt Company (propellant mfr.)
- ◆ Notice of Violation letter will also be sent to:
  - Mr. Thomas O. Peters (owner, 5acre site)
- ◆ U.S. Army Corps report delayed until 11/03
  - had draft report ready in 8/03; informed staff that additional information had to be reviewed prior to finalizing and submitting report

# *Investigation Activities*



- ◆ Two parties have conducted field activities:
  - American Promotional Events, Inc. - West
  - County of San Bernardino

# *Investigation Activities*

- ◆ American Promotional Events, Inc. - West
  - conducted limited soil investigation on 160-acre site in response to the Investigation Order
  - Preparing to conduct an additional phase of work

# *Investigation Activities*



## ◆ County of San Bernardino

- most significant amount of field work conducted to date
- includes soil investigation and installation of numerous groundwater wells

# *County of San Bernardino*

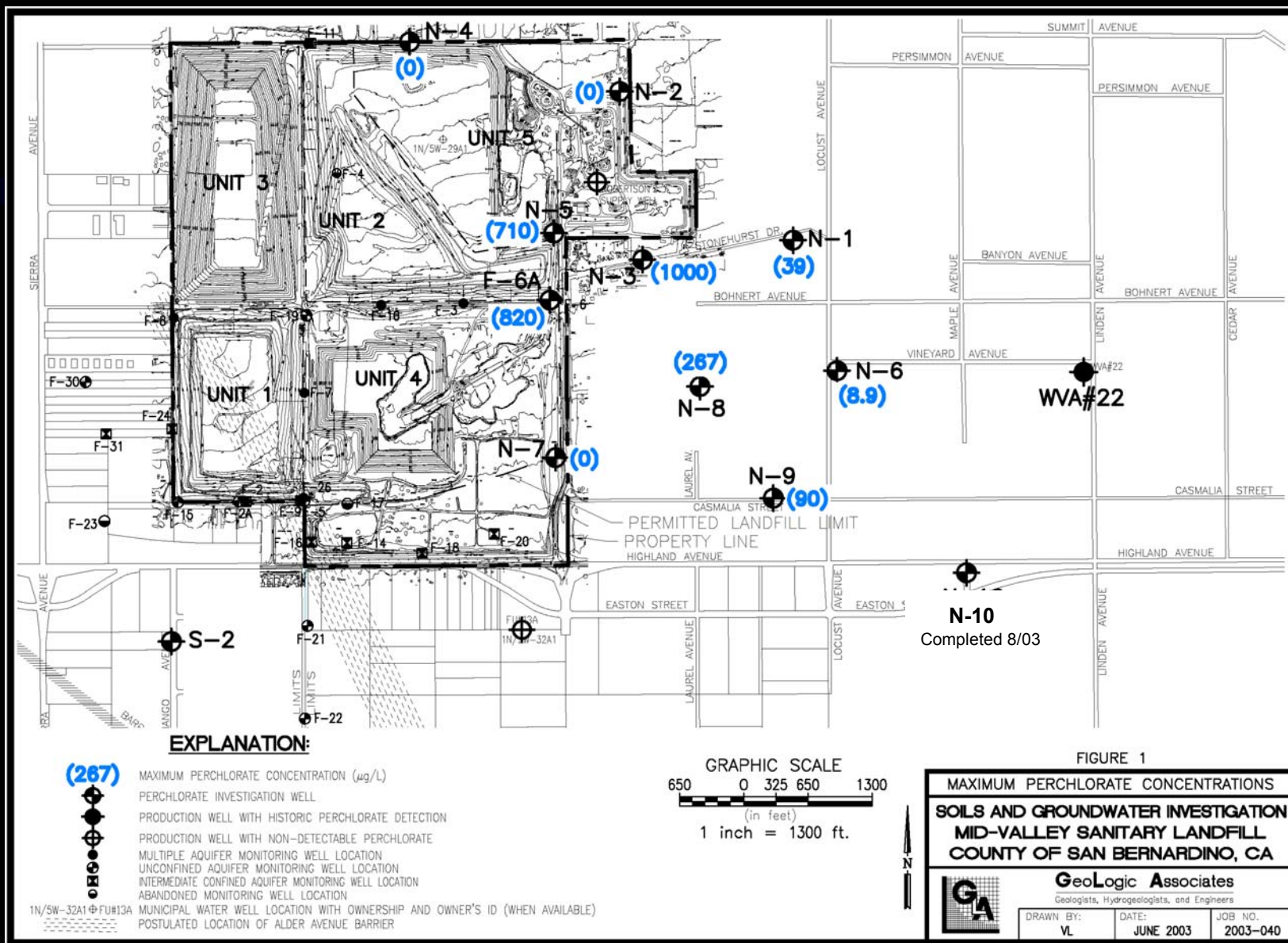


- ◆ Investigation Order Issued 9/26/02
- ◆ Two phases of groundwater investigation completed in 2002
- ◆ CAO R8-2003-0013 adopted 1/17/03

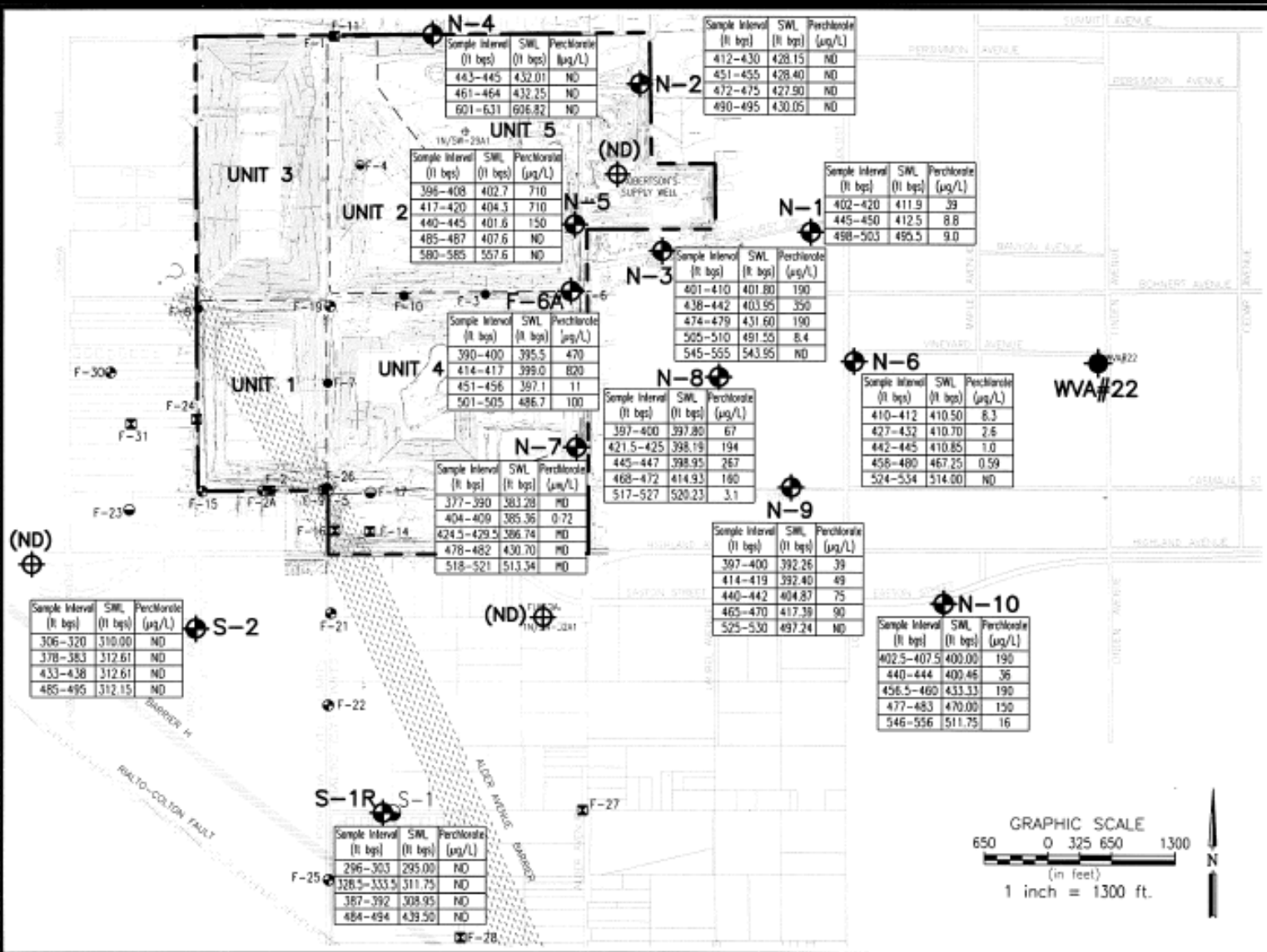
# *County of San Bernardino*

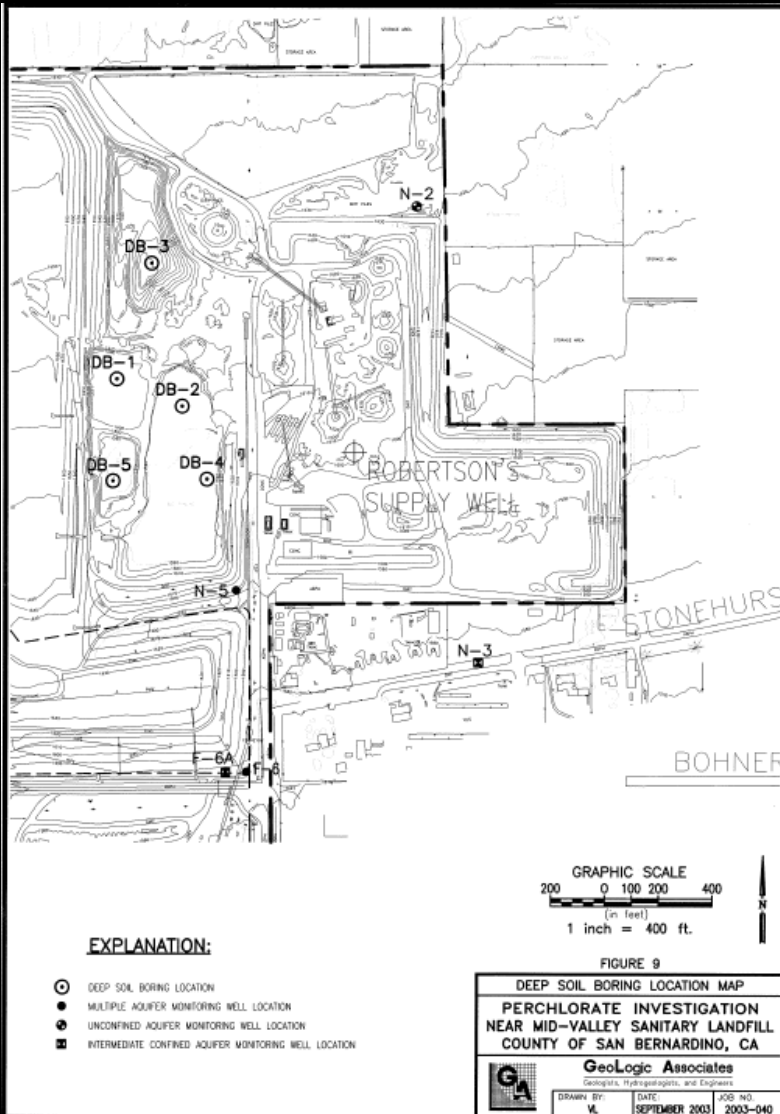


- ◆ Additional investigation required by CAO was completed in September 2003:
  - Four additional groundwater wells installed
  - Soil investigation was conducted at Robertson's Ready Mix, site of the former storage bunkers
- ◆ Final report to be submitted on October 15

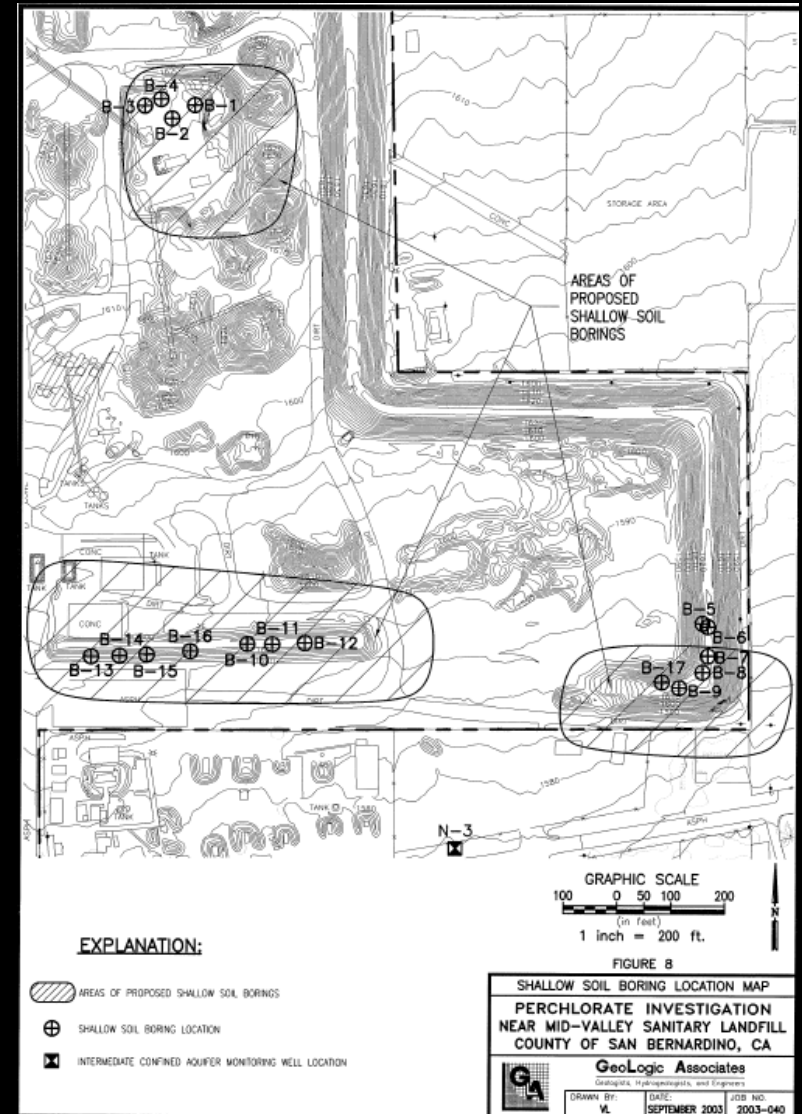








Deep Soil Borings in the Former Bunker Area



Soil Borings in Visual Berm